General Assembly

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Agenda item 39

Resolution adopted by the General Assembly on 26 October 2016

[*without reference to a Main Committee (A/71/L.3)*]

71/5. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

The General Assembly,

Determined to encourage strict compliance with the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming, among other principles, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which are also enshrined in many international legal instruments,

Recalling the statements of the Heads of State or Government of Latin America and the Caribbean at the Summits of the Community of Latin American and Caribbean States regarding the need to put an end to the economic, commercial and financial embargo imposed against Cuba,

Concerned about the continued promulgation and application by Member States of laws and regulations, such as that promulgated on 12 March 1996 known as "the Helms-Burton Act", the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation,

Taking note of declarations and resolutions of different intergovernmental forums, bodies and Governments that express the rejection by the international community and public opinion of the promulgation and application of measures of the kind referred to above,

Recalling its resolutions 47/19 of 24 November 1992, 48/16 of 3 November 1993, 49/9 of 26 October 1994, 50/10 of 2 November 1995, 51/17 of 12 November 1996, 52/10 of 5 November 1997, 53/4 of 14 October 1998, 54/21 of 9 November 1999, 55/20 of 9 November 2000, 56/9 of 27 November 2001, 57/11 of 12 November 2002, 58/7 of 4 November 2003, 59/11 of 28 October 2004, 60/12 of 8 November 2005, 61/11 of 8 November 2006, 62/3 of 30 October 2007, 63/7 of 29 October 2008, 64/6 of 28 October 2009, 65/6 of 26 October 2010, 66/6 of 25 October 2011, 67/4 of 13 November 2012, 68/8 of 29 October 2013, 69/5 of 28 October 2014 and 70/5 of 27 October 2015,

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Welcoming the progress in the relations between the Governments of Cuba and the United States of America and, in that context, the visit of the President of the United States, Mr. Barack Obama, to Cuba in March 2016,

Recognizing the reiterated will of the President of the United States to work for the elimination of the economic, commercial and financial embargo against Cuba,

Taking note of the steps taken by the United States Administration towards modifying some aspects of the implementation of the embargo, which, although positive, are still limited in scope,

Concerned that, since the adoption of its resolutions 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9, 57/11, 58/7, 59/11, 60/12, 61/11, 62/3, 63/7, 64/6, 65/6, 66/6, 67/4, 68/8, 69/5 and 70/5, the economic, commercial and financial embargo against Cuba is still in place, and concerned also about the adverse effects of such measures on the Cuban people and on Cuban nationals living in other countries,

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 70/5;[1]

2. *Reiterates its call upon* all States to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the present resolution, in conformity with their obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation;

3. *Once again urges* States that have and continue to apply such laws and measures to take the steps necessary to repeal or invalidate them as soon as possible in accordance with their legal regime;

4. *Requests* the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the present resolution in the light of the purposes and principles of the Charter and international law and to submit it to the General Assembly at its seventy-second session;

5. *Decides* to include in the provisional agenda of its seventy-second session the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

32nd plenary meeting
26 October 2016

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[1] A/71/91.